IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH
THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 19128 of 2007(B)

PETITIONER:
---
1. T.RAGHAVAN, PRESIDENT, CHAVAKKAD SMASHANA NIRMANA SAMRAKSHANA SAMITHY, CHAVAKKD, RESIDING AT THANDAYANGHATTIL HOUSE, P.O.CHAVAKKAD.

2. VIDHYASAGAR, S/O.RAMAN VAIDYAR, GENERAL SECRETARY, CHAVAKKAD SMASHANA NIRMANA SAMRAKSHANA SAMITHY, CHAVAKKAD, RESIDING AT NEDIYEDATH HOUSE, MANATHALA AMSOM, DESOM, CHAVAKKAD.

BY ADV. SRI.RAJIT

RESPONDENTS:
---
1. STATE OF KERALA, REP. BY THE CHIEF SECRETARY, SECRETARIAT, TRIVANDRUM.

2. THE DISTRICT COLLECTOR, THRISSUR DISTRICT, COLLECTORATE, AYYANTHOLE, THRISSUR.

3. CHAVAKKAD MUNICIPALITY, REP. BY ITS SECRETARY, CHAVAKKAD MUNICIPAL OFFICE, CHAVAKKAD, THRISSUR.

4. THE SECRETARY, CHAVAKKAD MUNICIPALITY CHAVAKKAD MUNICIPAL OFFICE, CHAVAKKAD, THRISSUR.

R3 & R4 BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
R1 & R2 BY SR. GOVT. PLEADER SRI. K.J. MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No. 19128 of 2007

- -

Dated this the 9th day of August, 2007

JUDGMENT

Petitioner has approached this court praying for a mandamus commanding respondents 3 and 4 to immediately finalise the establishment of the burial/burning ground in Chavakkad Municipality. Direction is also sought to immediately provide for a burning/burial ground in Chavakkad Municipality. According to the petitioner the Municipality has a population of around 40000. But there is no burial/burning ground in Chavakkad Municipality and urbanisation and division of properties in Chavakkad have considerably reduced the holdings in possession of persons belonging to the lower income group. It is stated that as a result of the break up of the joint family system and formation of nuclear families, the extent of land held by a person has considerably reduced with a result that there is no space for the people to bury/cremate the dead. The Chavakkad Municipality, for the purpose of establishing a burial ground, purchased the property 14 years back. But no concrete action is taken.

2. Counter affidavit is filed by the third respondent. Ext.P3(a) is produced as the consent to establish LPG fixed crematorium in the place. It is further stated as follows:

> "It is submitted that the respondent is taking all earnest and sincere steps to construct and complete L.P.G. Fixed public crematorium in the above place obtained for the above purpose and work will be completed after obtaining the required zonal exemption order from the Kerala Coastal Zone Management Authority for which this respondent has already applied for. As soon as the required permission is obtained, the work will be completed."

I record the submission made in the counter affidavit and direct that the crematorium will be established as early as possible.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

sb